

BOARD OF APPEAL REFERRALS

October 31, 1974

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412-416 Medford Street, Charlestown

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MEMORANDUM

October 31, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 11/19/74

Petition No. Z-3196
Boston Redevelopment Authority
Cooper Community Center (Lessee)
719 Shawmut Avenue, Boston

Petitioner seeks a conditional use for a change of occupancy from a community center to a community center and day care center in an apartment (H-2) district. Proposal violates the Code as follows:

Section 8-7. A day care center is conditional in an H-2 district.

Property, located near the intersection of Williams Street in the Campus High Urban Renewal Area, contains a two-story structure. Day care center accommodating 60 children is existing. Proposal would increase its capacity to 90 children utilizing former classroom space. Facility is vital, beneficial to and supported by the community, and in conformity with conditional use requirements. Recommend approval.

VOTED: That in connection with Petition No. Z-3196, brought by Boston Redevelopment Authority and Cooper Community Center, 719 Shawmut Avenue in the Campus High Urban Renewal Area, for a conditional use for a change of occupancy from community center to community center and day care center in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Facility is vital, beneficial to and supported by the community, and in conformity with conditional use requirements.



Board of Appeal Referrals 10/31/74

Hearing: 11/19/74

Petition No. Z-3197
Peter A. and Kathleen L. Wick
41 West Cedar Street, Boston

Petitioner seeks a variance to erect a carport accessory to a one-family dwelling in an apartment (H-2-65) district. Proposal violates the Code as follows:

Section 20-2. An accessory building in a rear yard may be no nearer than four feet to any side lot line.

Property, located near the intersection of Revere Street, contains a three-story structure. An existing rear yard parking space would be covered. The Beacon Hill Architectural Commission has approved the enclosure. Violation would not have a significant effect on the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-3197, brought by Peter A. and Kathleen L. Wick, 41 West Cedar Street, Boston, for a variance to erect a carport accessory to a one-family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Violation would not have a significant effect on the neighborhood. The Beacon Hill Architectural Commission has granted approval.

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Board of Appeal Referrals 10/31/74

Hearing: 11/19/74

Petition No. Z-3198
Dominic Varano
161 Neponset Valley Parkway, Hyde Park

Petitioner seeks a forbidden use and two variances for a change of occupancy from four to six apartments in a residential (R-.5) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which after conversion has a floor area ratio nonconformity greater than prior to conversion is forbidden in an R-.5 district.		
Section 15-1. Floor area ratio is excessive.	.5	.8
Section 19-1. Side yard is insufficient.	10 ft.	6 ft.

Property, located at the intersection of Buckingham Street, contains a two-story masonry structure. Additional units would be located in the basement. Motor vehicles parking near basement windows would hinder light and air to the rear apartment. Proposal is unreasonable and excessive. Recommend denial.

VOTED: That in connection with Petition No. Z-3198, brought by Dominic Varano, 161 Neponset Valley Parkway, Hyde Park, for a forbidden use and two variances for a change of occupancy from four to six apartments in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Motor vehicles parking near basement windows would hinder light and air to the rear apartment. Proposal is unreasonable and excessive.

Z-3198

161 NEPONSET VALLEY PARKWAY
(H. P.)

Board of Appeal Referrals 10/31/75

Hearing: 11/19/74

Petition No. Z-3199
Emmanuel Manoloules
145 Chiswick Road, Brighton

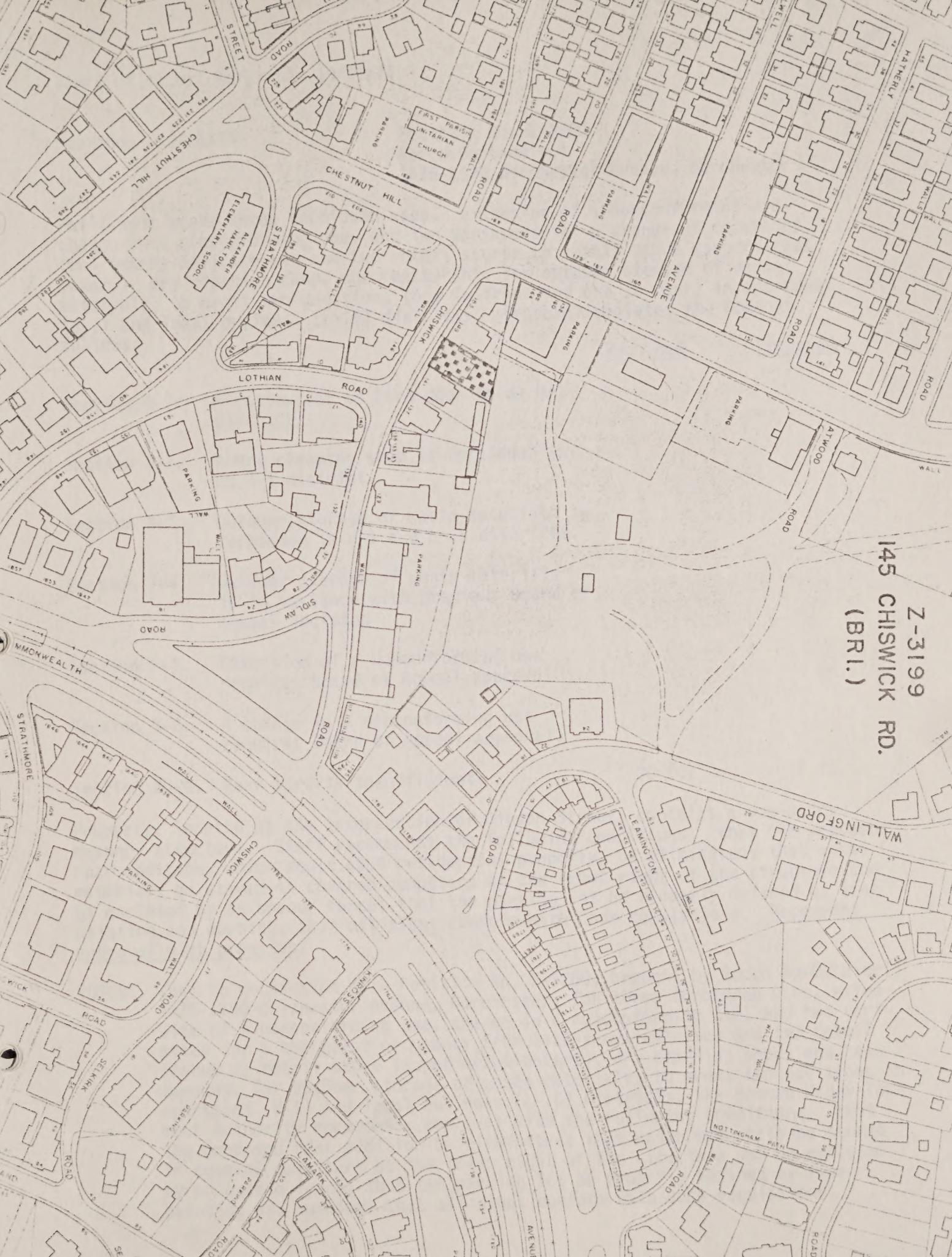
Petitioner seeks a forbidden use and two variances for a change of occupancy from eight to ten apartments in an apartment (H-1) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	93 sf/du
Section 17-1. Open space is insufficient.	400 sf/cu	299 sf/du

Property, with 5836 square feet, located near the intersection of Chestnut Hill Avenue, contains a three-story masonry structure. Density increase would only intensify existing neighborhood congestion. Conversion is unreasonable and unjustifiable. Recommend denial.

VOTED: That in connection with Petition No. Z-3199, brought by Emmanuel Manoloules, 145 Chiswick Road, Brighton, for a forbidden use and two variances for a change of occupancy from eight to ten apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Density increase would only intensify existing neighborhood congestion. Conversion is unreasonable and unjustifiable.

Z-3199
145 CHISWICK RD.
(B.R.I.)



Hearing: 11/26/74

Petition No. Z-3200
Rocco Bombardieri
1576-1580 Dorchester Avenue, Dorchester

Petitioner seeks three forbidden uses, extension of a nonconforming use, change in a nonconforming use, and two variances for a change of occupancy from bakery-delicatessen and two retail stores to retail store (supermarket-bakery), dry cleaning shop, and restaurant; for outdoor storage of waste materials; to erect two additions (one in front and one in rear) in apartment (H-1) and local business (L-.5) districts. Proposal violates the Code as follows:

<u>Required</u>	<u>Proposed</u>
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Section 8-7. A restaurant is forbidden in an H-1 district.

Section 8-7. A dry cleaning shop is forbidden in an H-1 district.

Section 8-7. Outdoor storage of waste materials is forbidden in H-1 and L-.5 districts.

Section 7-4. Outdoor storage of waste materials is in variance with previous Board of Appeal decision.

Section 9-1. Extension of a nonconforming use requires Board of Appeal approval.

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Section 20-4. Rear yard is insufficient. 30 ft. 2 ft.

Property, located at the intersection of Gibson Street, contains a one-story masonry structure. Staff recommends the following conditions: that the proposed rear addition, which would abut residential property, be eliminated; that waste materials be stored in covered dumpsters at the front right of the structure and be enclosed by an opaque fence; that the parking lot be properly defined by line painting and curbing; that all signs conform with Code regulations. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3200, brought by Rocco Bombardieri, 1576-1580 Dorchester Avenue, Dorchester, for three forbidden uses, extension of a nonconforming use, change in a nonconforming use, and two variances for a change of occupancy from bakery-delicatessen and two retail stores to retail store (supermarket-bakery), dry cleaning shop, and restaurant; for outdoor storage of waste materials; to erect two additions in apartment (H-1) and local business (L-.5) districts, the Boston Redevelopment Authority recommends approval with the following conditions: that the proposed rear addition be eliminated; that waste materials be stored in covered dumpsters at the front right of the structure and be enclosed by an opaque fence; that the parking lot be properly defined by line painting and curbing; that all signs conform with Code regulations.

Z-3200
1576-1580 DORCHESTER AVE.
(DOR.)

GIBSON PLAYGROUND

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Board of Appeal Referrals 10/31/74

Hearing: 11/26/64

Petition No. Z-3202
Westinghouse Broadcasting Co., Inc.
1170 Soldiers Field Road, Brighton

Petitioner seeks a conditional use to legalize an existing sign in a light manufacturing (M-1) district. Proposal violates the Code as follows:

Section 11-2. The top of a wall sign parallel to a building may be no higher than the top of the sills of the first level of windows above the first story.

Property, located near the intersection of Everett Street, contains a two-story masonry structure. Sign consists of ten-inch lettering reading "WBZ-TV 4 and WBZ Radio". Letters are painted directly on the front entrance tower wall of the building. Sign will not have any adverse effects nor create hazard or nuisance. Recommend approval.

VOTED: That in connection with Petition No. Z-3202, brought by Westinghouse Broadcasting Co., Inc., 1170 Soldiers Field Road, Brighton, for a conditional use to legalize an existing sign in a light manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. Sign will have no adverse effects nor create hazard or nuisance.

2-3202

1170 SOLDIERS FIELD RD.
(B.R.I.)

WILLIAM E. SMITH
PLAYGROUND



Board of Appeal Referrals 10/31/74

Hearing: 11/26/74

Petition No. Z-3203
Frank Di Cenzo & Sons, Inc.
Frank Di Cenzo
89 Cambridge Street, Charlestown

Petitioner seeks a conditional use to erect a one-story office structure for the sale of used cars in a general business (B-1) district. Proposal violates the Code as follows:

Section 8-7. Outdoor sale or display for sale of new or used motor vehicles is conditional in a B-1 district.

Property, located at the intersection of Cambridge and Brighton Streets outside the Urban Renewal Area, contains approximately 7000 square feet of vacant land. The use, with its attendant activity, would tend to have a blighting effect on the residential properties which face and abut it. Proposal does not conform with Code requirements for a conditional use.
Recommend denial.

VOTED: That in connection with Petition No. Z-3203, brought by Frank Di Cenzo & Sons, Inc., 89 Cambridge Street, Charlestown, for a conditional use to erect a one-story office structure for the sale of used cars in a general business (B-1) district, the Boston Redevelopment Authority recommends denial. The use, with its attendant activity, would tend to have a blighting effect on the residential properties which face and abut it. Proposal does not conform with Code requirements for a conditional use.

Z-3203

89 CAMBRIDGE ST.
(CHSN.)



Board of Appeal Referrals 10/31/74

Hearing: 11/5/74

Petition No. Z-3214
Phillip P. Connell
Bay State Laundry Co., Inc.
66 Temple Street, West Roxbury

Petitioner seeks a change in a nonconforming use and a forbidden use for a change of occupancy from a plumber's shop and warehouse to plumber's shop, warehouse, and laundry plant in a single-family (S-.5) district. Proposal violates the Code as follows:

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Section 8-7. A laundry is forbidden in an S-.5 district.

Property, located near the intersection of Tarleton Street, contains a one-story structure. Proposal represents an unwarranted increase of the existing nonconformity. Laundry plants are allowed only in manufacturing and industrial districts. Proposed laundry would increase truck traffic on this narrow residential street, and location of driveway next to railroad viaduct is hazardous. Site abuts rear yards of residences on Tarleton Street. Recommend denial.

VOTED: That in connection with Petition No. Z-3214, brought by Phillip P. Connell and Bay State Laundry Co., Inc., 66 Temple Street, West Roxbury, for a change in a nonconforming use and a forbidden use for a change of occupancy from plumber's shop and warehouse to plumber's shop, warehouse, and laundry plant in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposal represents an unwarranted increase of the existing nonconformity. Laundry plants are allowed only in manufacturing and industrial districts. Proposed laundry would increase traffic on this narrow residential street, and location of driveway next to railroad viaduct is hazardous. Site abuts rear yards of residences on Tarleton Street.

Z-3214
66 TEMPLE ST.
(W.R.)

(W.R.)

Board of Appeal Referrals 10/31/74

Hearing: 11/19/74

Petition No. Z-3217
J & J Realty Trust
Joseph T. Flaherty, Trustee
412-416 Medford Street, Charlestown

Petitioner seeks a change in a nonconforming use and a forbidden use for a change of occupancy from contractor's office and business garage to contractor's office, business garage, and restaurant in an apartment (H-1) district. Proposal violates the Code as follows:

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Section 8-7. A restaurant with dancing or entertainment or both is forbidden in an H-2 district.

Property, located at the intersection of North Mead Street in the Charlestown Urban Renewal Area, contains a three-story masonry structure. Area character is commercial-industrial. Proposed street-level restaurant facility would be compatible with existing uses. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3217, brought by J & J Realty Trust, 412-416 Medford Street, in the Charlestown Urban Renewal Area, for a change of occupancy from contractor's office and business garage to contractor's office, business garage, and restaurant in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-3217
412-416 MEDFORD ST.
(CHSN.)

